

disclosure statement. [Docket No. 47]. On December 5, 2014, the Debtor filed a letter reflecting that the disclosure statement hearing scheduled for December 17, 2014 has been adjourned until January 26, 2015, but that the Sale Procedures hearing remains scheduled for December 17, 2014. [Docket No. 53].

6. The Sale Procedures provide that the Bankruptcy Court has approved the Debtor's application to retain a real estate broker who "shall, among other things, market the Property and make recommendations to the Debtor as to who shall be a qualified bidder and who shall be the winning bidder at the sale of the Property." [See Docket No. 47].

7. On October 2, 2014, the Debtor filed an application to retain Daniel Gale Sotheby's International Realty ("DGSIR") as his real estate broker. [Docket No. 37].

8. However, on October 15, 2014, the Debtor filed a letter withdrawing his application to employ DGSIR as the Debtor's real estate broker. [Docket No. 42].

9. The Debtor has not filed a subsequent application requesting approval of the retention of a real estate broker.

10. The Sale Procedures cannot be approved because they provide for the Debtor's real estate broker to, *inter alia*, market the Property, but the Debtor has not yet retained a real estate broker and there is no pending application in which the Debtor seeks approval to retain a real estate broker.

11. Since a real estate broker has not been retained, the Property has not been professionally marketed during this chapter 11 case.

12. The Property should not be sold unless and until the Property and the proposed auction sale are professionally and appropriately marketed to make certain that the sale generates the greatest possible return for creditors.

13. Federal reserves the right to object to: (a) the Debtor's proposed plan; (b) the Debtor's proposed disclosure statement; and (c) the approval of the proposed sale of the Property under Section 363 of the Bankruptcy Code.

WHEREFORE, Federal requests that the Court enter an order denying the Debtor's Sale Procedures Motion and granting Federal such other and further relief as the Court deems just and equitable.

Dated: December 10, 2014

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re	:
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ANTHONY RIVARA,	:
	:
Debtor.	:
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-----X	

Ch. 11
Case No. 8-14-72784-reg

CERTIFICATE OF SERVICE

CYNTHIA A. MURRAY, an attorney duly admitted to practice in this State,
affirms under the penalties of perjury as follows:

I served a true and correct copy of Federal Insurance Company's Objection To
Debtor's Motion For An Order Approving Sale Procedures via U.S. First Class mail this 10th day
of December, 2014 upon:

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Not In Its Individual Capacity But Solely As Trustee Under
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Dated: New York, New York
December 10, 2014

/s/ Cynthia A. Murray
CYNTHIA A. MURRAY